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MARTIN & FERRARO, LLP  
1557 LAKE O'PINES STREET, NE  
HARTVILLE OH 44632

*In re* Application of:

MICHELSON, GARY K.

Serial No.: 08/354,450

Filed: Dec. 12, 1994

Docket: P10936V

Title: DEVICE FOR ARTHROSCOPIC  
MENISCAL REPAIR

: DECISION ON PETITION TO  
: RE-OPEN PROSECUTION

This is a decision on the petition filed on April 24, 2003 to request to re-open the prosecution due to the improper new grounds of rejection set forth in the Examiner's Answer.

The petition is **DISMISSED as moot.**

In the petition the applicant requested the examiner to re-open the prosecution due to improper new grounds of rejections included in the Examiner's Answer of Feb. 24, 2003. Subsequently, on July 7, 2003, the examiner agreed with the applicant's arguments and issued a non-final Office action.

In view of the history, the relief the applicant requested, namely to re-open the prosecution, has already occurred. Accordingly, the petition is dismissed as moot.

Any inquiry regarding this decision should be directed to Henry Yuen, Special Program Examiner, at (571) 272-4856.

for Karen M. Young  
Frederick R. Schmidt, Director  
Technology Center 3700